

STATE PLAN ON AGING

For the Four-Year Period
From

October 1, 2004 to September 30, 2008



State of Delaware
Department of Health and Social Services
Division of Services for Aging and Adults with Physical Disabilities

May, 2004

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VERIFICATION OF INTENT

The State Plan on Aging is hereby submitted for the State of Delaware for the period October 1, 2004, through September 30, 2008 by the Department of Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities under provisions of the Older Americans Act, as amended during the period identified. The State Agency named above has been given the authority to develop and administer the State Plan on Aging in accordance with all requirements of the Act, and is primarily responsible for the coordination of all State activities related to the purposes of the Act, i.e., the delivery of supportive services, including multipurpose senior centers and nutrition services, and to serve as the effective and visible advocate for the elderly in the State.

This Plan is hereby approved by the Governor and constitutes authorization to proceed with activities under the plan upon approval by the commissioner on Aging.

The State Plan on Aging hereby submitted has been developed in accordance with all Federal statutory and regulatory requirements.

(DATE)

Allan R. Zaback, Director
Division of Services for Aging and Adults with
Physical Disabilities

(DATE)

Vincent P. Meconi, Secretary
Department of Health
and Social Services

I hereby approve this State Plan on Aging and submit it to the Assistant Secretary, DHHS, Administration on Aging for approval.

(DATE)

Ruth Ann Minner, Governor
State of Delaware

INTRODUCTION

INTRODUCTION

Purpose

The State Plan on Aging serves as the contract between the State of Delaware and the Administration on Aging. This contract enables the State to receive funds under Title III and Title VII of the Older Americans Act in order to provide needed services to Older Delawareans. The Plan includes all of the assurances, budgeting information, and demographic data required by the Older Americans Act and its regulations.

In addition, the Plan provides the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) with the opportunity to develop and present program objectives for serving the older population in the State. These objectives relate to ongoing activities and new initiatives which the Division will carry out during the next several years.

Term of the Plan

The Older Americans Act allows states to develop two-year, three-year, or four year plans. Delaware has elected to develop a four-year plan. Therefore, this State Plan covers the period beginning October 1, 2004 and ending September 30, 2008.

Planning Process

DSAAPD began the planning process by organizing focus groups on six topics. Four focus groups were held with representatives from organizations from throughout the senior network such as: senior centers; service providers; nursing homes; hospitals; outreach programs; and DSAAPD and other state agencies. Caregivers and seniors were also invited to participate. The four external focus group topics were: caregiving; grandparent/relative caregiving; health and wellness; and external communications/information & assistance. One focus group was held on each topic in a centralized location that was easily accessible for all participants in the state. Each focus group had approximately fifteen participants.

Two focus groups were held with DSAAPD staff only. The topics addressed were advocacy/legislative issues and evaluation/quality improvement. Representatives from all units were invited to participate and each focus group had approximately seven participants.

After the information from the focus groups was collected, an internal group of DSAAPD staff considered each topic. Through these meetings, objectives were discussed, drafted, and reviewed by key DSAAPD staff. The staff consisted of representatives from the planning unit, the Public Health

Educator, the nutritionist, the State Long Term Care Ombudsman, the Joining Generations administrator, the administrator of caregiving programs, the Social Services Senior Administrator, a management analyst, the Assistant to the Director and the Director.

As part of the planning process, DSSAPD reviewed the Administration on Aging's (AoA) Strategic Action Plan for FY 2003-2008. (Please see www.aoa.gov/about/strategic/strategic.asp for further information.) The AoA serves as the Federal focal point and advocate agency for older persons and their concerns. It also administers funding provided to the States through the Older Americans Act and its' amendments. In the Strategic Action Plan, AoA identifies five priorities that will guide their activities over the next five years. They include:

- Priority 1: Make it easier for older people to access an integrated array of health and social supports.
- Priority 2: Help older people to stay active and healthy.
- Priority 3: Support families in their efforts to care for their loved ones at home and in the community.
- Priority 4: Ensure the rights of older people and prevent their abuse, neglect and exploitation.
- Priority 5: Promote effective and responsive management.

DSAAPD followed these priorities while reviewing focus group responses and planning objectives. They are reflected in the main categories of our State Plan Objectives. These include: Access to Services and Supports; Health and Wellness Promotion; Support to Caregivers; Elder Rights Protection; and Management Responsiveness

Review of Draft Plan

A public hearing on the State Plan on Aging was held in a central location of the State. Advertisement for the public hearing was posted in the legal classified section of the News Journal and the Delaware State News. All DSAAPD staff, focus group participants, and advisory council members were notified of the public hearing. Those that could not attend and expressed an interest in seeing the draft were sent an electronic version for review. Comments received at the public hearing reinforced the need to continue agency initiatives, particularly with regard to outreach and information dissemination.

DSAAPD Functions

As noted previously, the objectives presented in this plan address ongoing objectives and new initiatives for Title III and Title VII funds of the Older American's Act which DSAAPD intends to accomplish over the next four years. In addition, DSAAPD works on behalf of older persons and adults with physical disabilities in Delaware in a variety of other ways. The following is a summary of the major functions of the agency which may or may not be reflected in the objectives of the State Plan.

DSAAPD:

- issues and administers contracts for home and community based services for older persons and adults with physical disabilities; (Contracted services include: adult day care; adult foster care; Alzheimer's respite; assistive technology; attendant services; congregate meals; emergency response service; employment services; Hispanic outreach; home delivered meals; personal care services; home modification; legal services; respite care; and transportation.)
- advocates on behalf of older persons and adults with physical disabilities to create a broader awareness of the needs of these populations and to generate additional resources to meet these needs;
- operates the Adult Protective Services Program which responds to cases of suspected abuse, neglect, or exploitation of impaired adults who are not living in a long term care facility (for example, a nursing home.)
- operates the Long Term Care Ombudsman Program which investigates and resolves complaints made by (or on behalf of) residents of long term care facilities (for example, nursing homes).
- operates the Community Services Program which offers a complete assessment of a person's physical, cognitive, social and emotional status in order to identify his/ her needs. A care plan is developed with the individual, and his/ her family if possible, to provide a full range of appropriate services, utilizing all available funding sources.
- operates the Delaware Medicare Fraud Patrol Project which provides public information to encourage people who have Medicare to carefully read their Medicare summary notices and ask questions if they do not think the information is correct. This program also trains people who are retired to help other Medicare beneficiaries get the information they need when they suspect fraud, waste, or abuse of the Medicare program.

- operates the Delaware Money Management Program which offers money management service to help low-income seniors and adults with physical disabilities that have difficulty budgeting, paying routine bills and keeping track of financial matters.
- manages CARE (Caregiver Assistance-Respite-Education) Delaware to provide assistance for caregivers through needs assessment and care planning, organization of support groups and caregiver training, respite care, and community-based caregiver resource centers.
- operates a federally funded pilot project called the Delaware Passport to Independence to assist nursing home residents, especially those who are Medicaid-eligible, to transition to the community;
- encourages community service and mutual understanding between older and younger persons through the Joining Generations program;
- provides support to grandparent and relative caregivers through the Family Circles support groups;
- develops and implements a variety of wellness and health promotion programs;
- operates the Eldercare Resource Center to provide information to Delaware employers on the topic of eldercare;
- analyzes data, performs needs assessments, and develops and evaluates new services for older persons, adults with physical disabilities, and their families;
- provides training to agency staff and staff in the aging and disabilities network on an ongoing basis on a range of topics related to the provision of services to older persons and adults with physical disabilities

These activities represent the core functions of the agency, and will continue to be carried out during the four years covered by this plan.

PROGRAM OBJECTIVES

State Plan Objectives

Access to Services and Supports

Ongoing Objectives

Provide access to services and information for older persons, caregivers, and the aging network by maintaining a statewide toll-free phone number, an e-mail account, and a web site, and by coordinating information with Delaware's statewide phone and web helpline.

Operate an array of home and community based services (both directly and under contract with vendor agencies) to provide needed support to older persons and their caregivers.

Provide information about DSAAPD services and aging-related issues via guides, brochures, advertisement, etc., on an ongoing basis and have outreach materials available in Spanish. Disseminate information through attendance at public events, public sites (e.g., senior centers, libraries, state service centers), the DSAAPD website, and DSAAPD offices.

Provide ongoing outreach campaigns for specific programs within DSAAPD (e.g., CARE Delaware, Joining Generations, Long Term Care Ombudsman Program).

Maintain a statewide presence by DSAAPD staff on committees that focus on aging- and disability-related issues in both the public and private sector.

Provide ongoing communication and coordination with other Divisions within Delaware Health and Social Services in order to better serve the needs of older persons.

New Objectives

Enhance the capabilities of DSAAPD's Information and Assistance Unit through training and education, and improve its functionality to better meet the needs of seniors, caregivers, and professionals within the aging network.

Expand the use of outreach venues including improved availability and distribution of the Guide to Services for Older Delawareans.

Expand the use of technology, including the DSAAPD website, for outreach, information and assistance, education, and dissemination of information to the aging network.

Form partnerships with other professional organizations to participate in and develop such events as forums, lectures, and conferences so that professionals within the aging network have the opportunity for ongoing education, communication, brainstorming and idea-sharing.

Provide ongoing information about DSAAPD's services to professionals and organizations that have contact with the senior population on a regular basis (e.g., hospital discharge planners, AARP, faith-based organizations).

Provide ongoing information about DSAAPD's services to public and private sector human resource professionals throughout the State in order to enable employees to better plan for their retirement years.

Coordinate with home delivered meals providers to deliver messages (e.g., health and wellness, fraud protection, food handling) to the homebound senior population.

Health and Wellness Promotion

Ongoing Objectives

Provide the services of a full-time Health Educator to encourage healthy lifestyles and facilitate access to services for older persons by attendance at health fairs and other community events. Utilize the resources of the Health Educator to advocate for the health and well-being of older persons throughout the state by maintaining a presence on boards and committees that focus on health related issues and coordinating these efforts to address the needs of the aging community.

Promote and support the goals and objectives of the national and state prevention agendas (e.g. Healthy People 2010, Healthy Delaware 2010, Blueprint for a Healthy Delaware) as they relate to the senior population.

Collaborate with partners statewide to improve health and fitness of older Delawareans through physical activity (e.g. Walk Delaware, Lt. Governor's Challenge) and nutrition education, outreach and planning.

Maintain quality services in the congregate and home delivered meals program. As part of this effort, provide the expertise of a nutritionist to help develop quality meals for the elderly, and coordinate with Meals on Wheels Delaware to develop program resources.

Collaborate with state and community partners to increase awareness of health concerns that impact older adults (e.g. influenza/pneumonia, diabetes, cardiovascular disease, cancer, asthma, osteoporosis, HIV/AIDS) and promote

effective prevention and disease management practices through targeted resources, services and screenings for older adults at senior centers and community venues statewide.

New Objectives

Increase awareness of mental health issues and risks among the senior population and advocate for their mental health needs by partnering with the Division of Substance Abuse and Mental Health and related community organizations to better coordinate care and treatment.

Promote healthy eating habits through targeted nutrition education and outreach (e.g. 5-A-Day for Better Health, Dietary Guidelines for Americans) in an ongoing effort to decrease the risk of many chronic diseases (e.g. obesity/overweight; diabetes; cancer; cardiovascular disease; osteoporosis. Provide basic nutrition education on specific topics pertinent to the senior population (e.g., eating well on a budget, fad diets, easy recipes for those with limited energy).

Actively participate with faith-based organizations (e.g., Delaware Ecumenical Council on Children and Families, parish nurses and related ministerial associations) to improve the health of the senior population through education and advocacy.

Advocate with the Division of Public Health in order to raise awareness about home safety and environmental risks (e.g., accessibility, older homes, older wells, lead paint) that may affect the health of the senior population.

Support to Caregivers

Ongoing Objectives

Operate the statewide CARE Delaware program to provide assistance for caregivers through such things as needs assessment and care planning; organization of support groups and caregiver training; respite care; and community-based caregiver resource centers.

Provide case management and information and assistance services to caregivers throughout the state.

Maintain a presence on boards and committees that focus on the needs of caregivers and coordinate with outside agencies to provide caregiver support.

Advertise the availability of caregiver services through a variety of outreach venues (e.g., billboards, newspapers, web sites) on an ongoing basis. Develop and disseminate various publications to support caregivers.

Operate Joining Generations to support grandparent/relative caregivers and advocate for their needs (e.g., legal, financial, emotional). Contract services for support groups addressing the needs of relative caregivers and advertise the availability of the support groups on an ongoing basis.

New Objectives

Raise awareness within the business community about the needs of caregivers by coordinating workshops for human resource professionals in Delaware.

Raise awareness within the medical community about the needs of caregivers (e.g., with discharge planners, nursing organizations, physician organizations).

Maximize funding and community support to increase respite availability for caregivers.

Provide outreach materials and other resources that address the need for proactive communication between the generations regarding potential caregiving concerns (e.g., living wills, in-home care, nursing home placement, financial affairs, health concerns).

Create an advisory council or board to advocate for the needs of grandparent/relative caregivers (e.g., legal, financial, systems change).

Develop training modules to educate service professionals (e.g., social workers, school officials) about the needs of grandparent/relative caregivers and the resources currently available to assist them.

Elder Rights Protection

Ongoing Objectives

Operate the Adult Protective Services Program to respond to cases of suspected abuse, neglect, or exploitation of impaired adults who are not living in a long-term care facility.

Operate the Long Term Care Ombudsman Program to investigate and resolve complaints made by (or on behalf of) residents of long-term care facilities, and advocate for the rights of these residents.

Provide for a legal services program (under contract) to assist older persons with legal issues. Specifically, provide help with matters such as powers of attorney, living wills, and consumer housing and medical issues.

Continue to coordinate with various agencies and organizations (such as the Division of Long Term Care Residents Protection, police organizations, the Department of Justice, and others) to promote elder rights protection.

New Objectives

Coordinate with organizations in the mental health system and advocate for the mental health needs of the senior population. In particular, focus on establishing avenues for the successful resolution of problems experienced by clients in the Adult Protective Services Program.

Review Delaware laws that pertain to elder rights and elder abuse. Study the option of increasing the penalties for crimes involving the abuse of older persons in the State.

Evaluate the resources needed in the Adult Protective Services program to maintain the safety of staff and clients as the demands of the program increase.

Management Responsiveness

Ongoing Objectives

Advocate for the needs of seniors by collaborating and coordinating efforts on behalf of older persons among divisions within Delaware Health and Social Services.

Maintain ongoing communication with DSAAPD staff via meetings, training events, and e-mail. Acknowledge the achievements of staff through employee recognition events.

Conduct strategic planning activities for DSAAPD in order to remain proactive in efforts to serve the older population and people with physical disabilities.

New Objective

Contract with the National State Units on Aging (NASUA) to evaluate the organizational structure of the agency and the functions of each unit. Make changes based on recommendations that will improve work performance, facilitate coordination among units, and improve the capacity of DSAAPD to serve the senior population, caregivers, and the aging network.

RESOURCE ALLOCATION PLAN

STATE PROGRAM ALLOCATIONS BY PLANNING AND SERVICE AREA FOR FY'05

PLANNING AND SERVICE AREA	TITLE III SERVICE FUNDS	OTHER OAA FUNDS	NON-TITLE III FUNDS	TOTAL FUNDS AWARDED
TITLE III-B	\$1,753,440		\$1,753,440	\$3,506,880
TITLE III-C-1	\$1,402,762		\$2,602,042	\$4,004,804
TITLE III-C-2	\$907,542			\$907,542
TITLE III-D	\$107,859			\$107,859
TITLE III-E	\$756,056		\$252,019	\$1,008,075
TITLE V		\$1,892,783		\$1,892,783
USDA		\$416,000		\$416,000
OMDUDSMAN ACTIVITY		\$70,668		\$70,668
ELDER ABUSE		\$25,578		\$25,578
STATE FUNDS RESPITE			\$47,226	\$47,226
PSA SUBTOTALS	\$4,927,659	\$2,405,029	\$4,654,727	\$11,987,415
OTHER	0	0	0	0
TOTAL ALLOCATIONS	\$4,927,659	\$2,405,029	\$4,654,727	\$11,987,415

STATE AGENCY OPERATING BUDGET FOR FY'05

TOTAL RESOURCES TO BE USED FOR STATE AGENCY ADMINISTRATION

	TITLE III	MATCH TO TITLE III	OTHER AGENCY RESOURCES	TOTAL AGENCY BUDGET
TITLE III: STATE ADM.	\$500,000			\$500,000
TITLE III: (PART B)				
LONG-TERM CARE OMBUDSMAN	\$187,761			\$187,761
OTHER FEDERAL FUNDS			\$85,782	\$85,782
STATE		\$1,200,000	\$0	\$1,200,000
LOCAL PUBLIC		\$0	\$0	\$0
OTHER		\$0	\$0	\$0
TOTAL	\$687,761	\$1,200,00	\$85,782	\$1,973,543

DEMOGRAPHIC INFORMATION

A PROFILE OF OLDER DELAWAREANS
Selected Population Characteristics
Year 2000

	Number	Percent
Persons by Age		
60-64	32,199	24.0%
65-74	56,415	42.1%
75-84	34,762	26.0%
85 and over	10,549	7.9%
Total 60+	133,925	100.0%
Persons by Race (Age 60+)		
White	115,479	86.2%
Black or African American	15,686	11.7%
American Indian/Alaskan Native	392	0.3%
Asian	1,430	1.1%
Hawaiian/Pacific Islander	19	0.0%
Other	486	0.4%
Two or More Races	703	0.5%
Persons of Hispanic or Latino Origin (Age 60+)		
Hispanic/Latino Origin	1,668	1.2%
Poverty Status (Age 65+)*		
At or Above Poverty Level	89,439	92.1%
Below Poverty Level	7,633	7.9%
Poverty Status by Race (Age 65+)*		
White		
At or Above Poverty Level	79,432	93.8%
Below Poverty Level	5,270	6.2%
Black or African American		
At or Above Poverty Level	8,575	80.5%
Below Poverty Level	2,074	19.5%
American Indian/Alaskan Native		
At or Above Poverty Level	218	78.7%
Below Poverty Level	59	21.3%
Asian		
At or Above Poverty Level	642	89.0%
Below Poverty Level	79	11.0%

Poverty Status by Race (Age 65+)* - continued from previous page		
Hawaiian/Pacific Islander		
At or Above Poverty Level	38	100.0%
Below Poverty Level	0	0.0%
Other		
At or Above Poverty Level	179	65.3%
Below Poverty Level	95	34.7%
Two or More Races		
At or Above Poverty Level	355	86.4%
Below Poverty Level	56	13.6%
Poverty Status for Persons of Hispanic or Latino Origin (Age 65+)*		
At or Above Poverty Level	861	85.3%
Below Poverty Level	148	14.7%
Persons Living in Nursing Homes and Other Group Quarters (Age 65+)		
Males	1,358	26.6%
Females	3,744	73.4%
Persons Living Alone (Age 65+)		
Males	6,952	25.7%
Females	20,119	74.3%
Persons by Disability Status (Non-institutionalized Persons Aged 65+)		
One or more types of disabilities	32,315	33.3%
No disabilities	64,760	66.7%
Persons by Language Spoken at Home (Age 65+)		
English only	95,239	93.7%
Spanish	1,225	1.2%
Other Indo-European Language	4,394	4.3%
Asian/Pacific Island Language	541	0.5%
Other Languages	271	0.3%

*For certain categories, numbers and percents are of persons for whom status was determined.
Source: Census 2000.

**A PROFILE OF PERSONS SERVED THROUGH
TITLE III PROGRAMS
STATE OF DELAWARE
FISCAL YEAR 2003**

	Number of Persons (Unduplicated Count)	Percent
Total Persons Served	30,680	100.0%
Persons by Race and Hispanic Origin		
African American	5,498	18.0%
American Indian/Native Alaskan	114	0.4%
Asian/Pacific Islander	85	0.3%
White, not Hispanic	23,188	75.6%
Hispanic	164	0.6%
Minority Persons	5,993	19.2%
Persons Living in Rural Areas	9,861	32.2%
Persons Below the Poverty Level	7,002	22.9%
Minority Persons Below the Poverty Level	2,040	34.9% as a percent of all Minority Clients

**Population Projections
State of Delaware
Persons Aged 60+, 75+, and 85+**

Year	Population Projections Persons Aged 60+	Percent Change From Year 2000
2000	134,400	NA
2005	153,578	14.3
2010	179,608	33.6
2015	208,831	55.4
2020	243,728	81.4
2025	276,689	105.9
2030	296,739	120.8

Year	Population Projections Persons Aged 75+	Percent Change From Year 2000
2000	45,463	NA
2005	54,048	18.9
2010	60,127	32.3
2015	64,807	42.6
2020	73,328	61.3
2025	88,056	93.7
2030	104,067	128.9

Year	Population Projections Persons Aged 85+	Percent Change From Year 2000
2000	10,575	NA
2005	13,802	30.5
2010	17,425	64.8
2015	19,940	88.6
2020	21,533	103.6
2025	22,964	117.2
2030	26,824	153.7

Source:
Delaware Population Consortium, Annual Population Projections
September 23, 2003, Version 2003.0

**Population Projections
New Castle County
Persons Aged 60+, 75+, and 85+**

Year	Population Projections Persons Aged 60+	Percent Change From Year 2000
2000	76,103	NA
2005	84,827	11.5
2010	97,913	28.7
2015	112,855	48.3
2020	130,629	71.7
2025	147,258	93.5
2030	158,150	107.8

Year	Population Projections Persons Aged 75+	Percent Change From Year 2000
2000	27,082	NA
2005	30,756	13.6
2010	32,614	20.4
2015	33,958	25.4
2020	38,168	40.9
2025	45,990	69.8
2030	54,554	101.5

Year	Population Projections Persons Aged 85+	Percent Change From Year 2000
2000	6,460	NA
2005	8,262	27.9
2010	10,225	58.3
2015	11,188	73.2
2020	11,574	79.2
2025	12,106	87.4
2030	14,355	122.2

Source:

Delaware Population Consortium, Annual Population Projections
September 23, 2003, Version 2003.0

**Population Projections
Kent County
Persons Aged 60+, 75+, and 85+**

Year	Population Projections Persons Aged 60+	Percent Change From Year 2000
2000	19,894	NA
2005	23,280	17.0
2010	26,901	35.2
2015	30,545	53.5
2020	35,250	77.2
2025	39,764	99.9
2030	42,162	111.9

Year	Population Projections Persons Aged 75+	Percent Change From Year 2000
2000	6,396	NA
2005	7,863	22.9
2010	9,084	42.0
2015	9,946	55.5
2020	11,061	72.9
2025	12,952	102.5
2030	14,818	131.7

Year	Population Projections Persons Aged 85+	Percent Change From Year 2000
2000	1,537	NA
2005	2,005	30.5
2010	2,472	60.8
2015	2,826	83.9
2020	3,213	109.1
2025	3,442	124.0
2030	3,871	151.9

Source:

Delaware Population Consortium, Annual Population Projections
September 23, 2003, Version 2003.0

**Population Projections
Sussex County
Persons Aged 60+, 75+, and 85+**

Year	Population Projections Persons Aged 60+	Percent Change From Year 2000
2000	38,403	NA
2005	45,471	18.4
2010	54,790	42.7
2015	65,431	70.4
2020	77,846	102.7
2025	89,667	133.5
2030	96,427	151.1

Year	Population Projections Persons Aged 75+	Percent Change From Year 2000
2000	11,985	NA
2005	15,429	28.7
2010	18,429	53.8
2015	20,903	74.4
2020	24,096	101.1
2025	29,114	142.9
2030	34,695	189.5

Year	Population Projections Persons Aged 85+	Percent Change From Year 2000
2000	2,578	NA
2005	3,535	37.1
2010	4,728	83.4
2015	5,924	129.8
2020	6,746	161.7
2025	7,416	187.7
2030	8,598	233.5

Source:

Delaware Population Consortium, Annual Population Projections
September 23, 2003, Version 2003.0

ASSURANCES AND CERTIFICATIONS

Listing of State Plan Assurances and Required Activities Older Americans Act, As Amended in 2000

ASSURANCES

Sec. 305(a)- (c), ORGANIZATION

(a)(2)(A) The State agency shall, except as provided in subsection (b)(5), designate for each such area (planning and service area) after consideration of the views offered by the unit or units of general purpose local government in such area, a public or private nonprofit agency or organization as the area agency on aging for such area.

(a)(2)(B) The State agency shall provide assurances, satisfactory to the Assistant Secretary, that the State agency will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of supportive services or nutrition services, or individuals using multipurpose senior centers provided under such plan.

(a)(2)(E) The State agency shall provide assurance that preference will be given to providing services to older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals and older individuals residing in rural areas and include proposed methods of carrying out the preference in the State plan.

(a)(2)(F) The State agency shall provide assurances that the State agency will require use of outreach efforts described in section 307(a)(16).

(a)(2)(G)(ii) The State agency shall provide an assurance that the State agency will undertake specific program development, advocacy, and outreach efforts focused on the needs of low-income minority older individuals and older individuals residing in rural areas.

(c)(5) In the case of a State specified in subsection (b)(5), the State agency and area agencies shall provide assurance, determined adequate by the State agency, that the area agency on aging will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program in accordance with the plan within the planning and service area.

States must assure that the following assurances (Section 306) will be met by its designated area agencies on aging, or by the State in the case of single planning and service area states.

**Sec. 306(a), AREA
PLANS**

(2) Each area agency on aging shall provide assurances that an adequate proportion, as required under section 307(a)(2), of the amount allotted for part B to the planning and service area will be expended for the delivery of each of the following categories of services-

(A) services associated with access to services (transportation, outreach, information and assistance, and case management services);

(B) in-home services, including supportive services for families of older individuals who are victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction; and

(C) legal assistance;

and assurances that the area agency on aging will report annually to the State agency in detail the amount of funds expended for each such category during the fiscal year most recently concluded.

(4)(A)(i) Each area agency on aging shall provide assurances that the area agency on aging will set specific objectives for providing services to older individuals with greatest economic need and older individuals with greatest social need, include specific objectives for providing services to low-income minority individuals and older individuals residing in rural areas, and include proposed methods of carrying out the preference in the area plan.

(4)(A)(ii) Each area agency on aging shall provide assurances that the area agency on aging will include in each agreement made with a provider of any service under this title, a requirement that such provider will--

(I) specify how the provider intends to satisfy the service needs of low-income minority individuals and older individuals residing in rural areas in the area served by the provider;

(II) to the maximum extent feasible, provide services to low-income minority individuals and older individuals residing in rural areas in accordance with their need for such services; and

(III) meet specific objectives established by the area agency on aging, for providing services to low-income minority individuals and older individuals residing in rural areas within the planning and service area.

(4)(A)(iii) With respect to the fiscal year preceding the fiscal year for which such plan is prepared, each area agency on aging shall--

(I) identify the number of low-income minority older individuals and older individuals residing in rural areas in the planning and service area;

(II) describe the methods used to satisfy the service needs of such minority older individuals; and
(III) provide information on the extent to which the area agency on aging met the objectives described in clause (a)(4)(A)(i).

(4)(B)(i) Each area agency on aging shall provide assurances that the area agency on aging will use outreach efforts that will identify individuals eligible for assistance under this Act, with special emphasis on--

(I) older individuals residing in rural areas;

(II) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(III) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(IV) older individuals with severe disabilities;

(V) older individuals with limited English-speaking ability; and

(VI) older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals);

and inform the older individuals referred to in (A) through (F), and the caretakers of such individuals, of the availability of such assistance.

(4)(C) Each area agency on agency shall provide assurance that the area agency on aging will ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, will include a focus on the needs of low-income minority older individuals and older individuals residing in rural areas.

(5) Each area agency on aging shall provide assurances that the area agency on aging will coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities, with agencies that develop or provide services for individuals with disabilities.

(9) Each area agency on aging shall provide assurances that the area agency on aging, in carrying out the State Long-Term Care Ombudsman program under section 307(a)(9), will expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 2000 in carrying out such a program under this title.

(11) Each area agency on aging shall provide information and assurances concerning services to older individuals who are Native Americans (referred to in this paragraph as "older Native Americans"), including-

(A) information concerning whether there is a significant population of older Native Americans in the planning and service area and if so, an assurance that

the area agency on aging will pursue activities, including outreach, to increase access of those older Native Americans to programs and benefits provided under this title;

(B) an assurance that the area agency on aging will, to the maximum extent practicable, coordinate the services the agency provides under this title with services provided under title VI; and

(C) an assurance that the area agency on aging will make services under the area plan available, to the same extent as such services are available to older individuals within the planning and service area, to older Native Americans.

(13)(A) Each area agency on aging shall provide assurances that the area agency on aging will maintain the integrity and public purpose of services provided, and service providers, under this title in all contractual and commercial relationships.

(13)(B) Each area agency on aging shall provide assurances that the area agency on aging will disclose to the Assistant Secretary and the State agency--

(i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

(ii) the nature of such contract or such relationship.

(13)(C) Each area agency on aging shall provide assurances that the area agency will demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not resulted and will not result from such non-governmental contracts or such commercial relationships.

(13)(D) Each area agency on aging shall provide assurances that the area agency will demonstrate that the quantity or quality of the services to be provided under this title by such agency will be enhanced as a result of such non-governmental contracts or commercial relationships.

(13)(E) Each area agency on aging shall provide assurances that the area agency will, on the request of the Assistant Secretary or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals.

(14) Each area agency on aging shall provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title.

(15) Each area agency on aging shall provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title.

Sec. 307, STATE PLANS

(7)(A) The plan shall provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid to the recipients of a grant or contract.

(7)(B) The plan shall provide assurances that--

(i) no individual (appointed or otherwise) involved in the designation of the State agency or an area agency on aging, or in the designation of the head of any subdivision of the State agency or of an area agency on aging, is subject to a conflict of interest prohibited under this Act;

(ii) no officer, employee, or other representative of the State agency or an area agency on aging is subject to a conflict of interest prohibited under this Act; and

(iii) mechanisms are in place to identify and remove conflicts of interest prohibited under this Act.

(9) The plan shall provide assurances that the State agency will carry out, through the Office of the State Long-Term Care Ombudsman, a State Long-Term Care Ombudsman program in accordance with section 712 and this title, and will expend for such purpose an amount that is not less than an amount expended by the State agency with funds received under this title for fiscal year 2000, and an amount that is not less than the amount expended by the State agency with funds received under title VII for fiscal year 2000.

(10) The plan shall provide assurance that the special needs of older individuals residing in rural areas will be taken into consideration and shall describe how those needs have been met and describe how funds have been allocated to meet those needs.

(11)(A) The plan shall provide assurances that area agencies on aging will--

(i) enter into contracts with providers of legal assistance which can demonstrate the experience or capacity to deliver legal assistance;

(ii) include in any such contract provisions to assure that any recipient of funds under division (A) will be subject to specific restrictions and regulations promulgated under the Legal Services Corporation Act (other than restrictions and regulations governing eligibility for legal assistance under such Act and

governing membership of local governing boards) as determined appropriate by the Assistant Secretary; and

(iii) attempt to involve the private bar in legal assistance activities authorized under this title, including groups within the private bar furnishing services to older individuals on a pro bono and reduced fee basis.

(11)(B) The plan contains assurances that no legal assistance will be furnished unless the grantee administers a program designed to provide legal assistance to older individuals with social or economic need and has agreed, if the grantee is not a Legal Services Corporation project grantee, to coordinate its services with existing Legal Services Corporation projects in the planning and service area in order to concentrate the use of funds provided under this title on individuals with the greatest such need; and the area agency on aging makes a finding, after assessment, pursuant to standards for service promulgated by the Assistant Secretary, that any grantee selected is the entity best able to provide the particular services.

(11)(D) The plan contains assurances, to the extent practicable, that legal assistance furnished under the plan will be in addition to any legal assistance for older individuals being furnished with funds from sources other than this Act and that reasonable efforts will be made to maintain existing levels of legal assistance for older individuals;

(11)(E) The plan contains assurances that area agencies on aging will give priority to legal assistance related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination.

(12) The plan shall provide, whenever the State desires to provide for a fiscal year for services for the prevention of abuse of older individuals, the plan contains assurances that any area agency on aging carrying out such services will conduct a program consistent with relevant State law and coordinated with existing State adult protective service activities for--

(A) public education to identify and prevent abuse of older individuals;

(B) receipt of reports of abuse of older individuals;

(C) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance where appropriate and consented to by the parties to be referred; and

(D) referral of complaints to law enforcement or public protective service agencies where appropriate.

(13) The plan shall provide assurances that each State will assign personnel (one of whom shall be known as a legal assistance developer) to provide State leadership in developing legal assistance programs for older individuals throughout the State.

(14) The plan shall provide assurances that, if a substantial number of the older individuals residing in any planning and service area in the State are of limited English-speaking ability, then the State will require the area agency on aging for each such planning and service area—

(A) to utilize in the delivery of outreach services under section 306(a)(2)(A), the services of workers who are fluent in the language spoken by a predominant number of such older individuals who are of limited English-speaking ability; and

(B) to designate an individual employed by the area agency on aging, or available to such area agency on aging on a full-time basis, whose responsibilities will include--

(i) taking such action as may be appropriate to assure that counseling assistance is made available to such older individuals who are of limited English-speaking ability in order to assist such older individuals in participating in programs and receiving assistance under this Act; and

(ii) providing guidance to individuals engaged in the delivery of supportive services under the area plan involved to enable such individuals to be aware of cultural sensitivities and to take into account effectively linguistic and cultural differences.

(16) The plan shall provide assurances that the State agency will require outreach efforts that will identify individuals eligible for assistance under this Act, with special emphasis on--

(A) older individuals residing in rural areas;

(B) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(C) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(D) older individuals with severe disabilities;

(E) older individuals with limited English-speaking ability; and

(F) older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and inform the older individuals referred to in clauses (A) through (F) and the caretakers of such individuals, of the availability of such assistance.

(17) The plan shall provide, with respect to the needs of older individuals with severe disabilities, assurances that the State will coordinate planning, identification, assessment of needs, and service for older individuals with disabilities with particular attention to individuals with severe disabilities with the State agencies with primary responsibility for individuals with disabilities, including severe disabilities, to enhance services and develop collaborative programs, where appropriate, to meet the needs of older individuals with disabilities.

(18) The plan shall provide assurances that area agencies on aging will conduct efforts to facilitate the coordination of community-based, long-term care services, pursuant to section 306(a)(7), for older individuals who--

(A) reside at home and are at risk of institutionalization because of limitations on their ability to function independently;

(B) are patients in hospitals and are at risk of prolonged institutionalization; or

(C) are patients in long-term care facilities, but who can return to their homes if community-based services are provided to them.

(19) The plan shall include the assurances and description required by section 705(a).

(20) The plan shall provide assurances that special efforts will be made to provide technical assistance to minority providers of services.

(21) The plan shall

(A) provide an assurance that the State agency will coordinate programs under this title and programs under title VI, if applicable; and

(B) provide an assurance that the State agency will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits provided under this title, if applicable, and specify the ways in which the State agency intends to implement the activities.

(22) If case management services are offered to provide access to supportive services, the plan shall provide that the State agency shall ensure compliance with the requirements specified in section 306(a)(8).

(23) The plan shall provide assurances that demonstrable efforts will be made--

(A) to coordinate services provided under this Act with other State services that benefit older individuals; and

(B) to provide multigenerational activities, such as opportunities for older individuals to serve as mentors or advisers in child care, youth day care, educational assistance, at-risk youth intervention, juvenile delinquency treatment, and family support programs.

(24) The plan shall provide assurances that the State will coordinate public services within the State to assist older individuals to obtain transportation services associated with access to services provided under this title, to services under title VI, to comprehensive counseling services, and to legal assistance.

(25) The plan shall include assurances that the State has in effect a mechanism to provide for quality in the provision of in-home services under this title.

(26) The plan shall provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the State agency or an area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title.

Sec. 308, PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF STATE PLANS

(b)(3)(E) No application by a State under subparagraph (b)(3)(A) shall be approved unless it contains assurances that no amounts received by the State under this paragraph will be used to hire any individual to fill a job opening created by the action of the State in laying off or terminating the employment of any regular employee not supported under this Act in anticipation of filling the vacancy so created by hiring an employee to be supported through use of amounts received under this paragraph.

Sec. 705, ADDITIONAL STATE PLAN REQUIREMENTS (as numbered in statute)

(1) The State plan shall provide an assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will establish programs in accordance with the requirements of the chapter and this chapter.

(2) The State plan shall provide an assurance that the State will hold public hearings, and use other means, to obtain the views of older individuals, area agencies on aging, recipients of grants under title VI, and other interested persons and entities regarding programs carried out under this subtitle.

(3) The State plan shall provide an assurance that the State, in consultation with area agencies on aging, will identify and prioritize statewide activities aimed at ensuring that older individuals have access to, and assistance in securing and maintaining, benefits and rights.

(4) The State plan shall provide an assurance that the State will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out each of the vulnerable elder rights protection activities described in the chapter.

(5) The State plan shall provide an assurance that the State will place no restrictions, other than the requirements referred to in clauses (i) through (iv) of section 712(a)(5)(C), on the eligibility of entities for designation as local Ombudsman entities under section 712(a)(5).

(6) The State plan shall provide an assurance that, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3—

(A) in carrying out such programs the State agency will conduct a program of services consistent with relevant State law and coordinated with existing State adult protective service activities for--

(i) public education to identify and prevent elder abuse;

(ii) receipt of reports of elder abuse;

(iii) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance if appropriate and if the individuals to be referred consent; and

(iv) referral of complaints to law enforcement or public protective service agencies if appropriate;

(B) the State will not permit involuntary or coerced participation in the program of services described in subparagraph (A) by alleged victims, abusers, or their households; and

(C) all information gathered in the course of receiving reports and making referrals shall remain confidential except--

(i) if all parties to such complaint consent in writing to the release of such information;

(ii) if the release of such information is to a law enforcement agency, public protective service agency, licensing or certification agency, ombudsman program, or protection or advocacy system; or

(iii) upon court order.

REQUIRED ACTIVITIES

Sec. 307(a), STATE PLANS

(1)(A)The State Agency requires each area agency on aging designated under section 305(a)(2)(A) to develop and submit to the State agency for approval, in accordance with a uniform format developed by the State agency, an area plan meeting the requirements of section 306; and

(B) The State plan is based on such area plans.

Note: THIS SUBSECTION OF STATUTE DOES NOT REQUIRE THAT AREA PLANS BE DEVELOPED PRIOR TO STATE PLANS AND/OR THAT STATE PLANS DEVELOP AS A COMPILATION OF AREA PLANS.

(2) The State agency:

(A) evaluates, using uniform procedures described in section 202(a)(29), the need for supportive services (including legal assistance pursuant to 307(a)(11), information and assistance, and transportation services), nutrition services, and multipurpose senior centers within the State;

(B) has developed a standardized process to determine the extent to which public or private programs and resources (including volunteers and programs and services of voluntary organizations) have the capacity and actually meet such need;

(4) The State agency conducts periodic evaluations of, and public hearings on, activities and projects carried out in the State under titles III and VII, including evaluations of the effectiveness of services provided to individuals with greatest economic need, greatest social need, or disabilities, with particular attention to low-income minority individuals and older individuals residing in rural areas.

Note: "Periodic" (defined in 45CFR Part 1321.3) means, at a minimum, once each fiscal year.

(5) The State agency:

(A) affords an opportunity for a public hearing upon request, in accordance with published procedures, to any area agency on aging submitting a plan under this title, to any provider of (or applicant to provide) services;

(B) issues guidelines applicable to grievance procedures required by section 306(a)(10); and

(C) affords an opportunity for a public hearing, upon request, by an area agency on aging, by a provider of (or applicant to provide) services, or by any recipient of services under this title regarding any waiver request, including those under Section 316.

(6) The State agency will make such reports, in such form, and containing such information, as the Assistant Secretary may require, and comply with such requirements as the Assistant Secretary may impose to insure the correctness of such reports.

(8)(A) No supportive services, nutrition services, or in-home services are directly provided by the State agency or an area agency on aging in the State, unless, in the judgment of the State agency--

(i) provision of such services by the State agency or the area agency on aging is necessary to assure an adequate supply of such services;

(ii) such services are directly related to such State agency's or area agency on aging's administrative functions; or

(iii) such services can be provided more economically, and with comparable quality, by such State agency or area agency on aging.

Signature and Title of Authorized Official

Date

**CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS, DRUG-FREE
WORKPLACE REQUIREMENTS AND LOBBYING**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 26, "Government Debarment and Suspension (Nonprocurement)" and "Governmentwide Requirements for Drug-Free Workplace" and 15CFR Part 28. "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determine to award the covered transaction, grant, or cooperative agreement.

1. Debarment, Suspension, and Other Responsibility Matters

As required by Executive Order 12549, Debarment and Suspension, and implemented at 15 CFR Part 26, for prospective participants in primary covered transactions, as defined at 15 CFR Part, 26, Sections 26.105.110

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR Part 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an ongoing drug-free awareness program to inform employees about --
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
- (B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Delaware Health and Social Services

Division of Services for Aging and Adults with Physical Disabilities

1901 N. DuPont Highway
Main Building
New Castle, DE 19720
(302) 255-9390
Administrative Offices
New Castle County

256 Chapman Road
Oxford Bldg. Suite 200
Newark, DE 19720
(302) 453-3820
New Castle County

18 N. Walnut Street
First Floor
Milford, DE 19963
(302) 422-1386
Kent County

Check ____ if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR Part 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000, or loan, or loan guarantee over \$150,000, as defined at 15 CFR Part 28, Sections 28.105 and 28.110 the applicant certifies that to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative

agreement, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into.

Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

Name of Applicant

Delaware Health and Social Services

Division of Services for Aging and Adults with Physical Disabilities

Award Number and/or Project Name

Delaware State Plan on Aging

Printed Name and Title of Authorized Representative

Allan R. Zaback, Director

Designee for Vincent P. Meconi, Secretary of Delaware Health and Social Services

Signature: _____

Date: _____

Approved by OMB
0348-0046

[illegible]

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED	

MISCELLANEOUS REQUIREMENTS

MISCELLANEOUS REQUIREMENTS

102(19)(G) – The term “in-home services” includes other in-home services as defined by the State agency in the State plan submitted in accordance with Sec. 307.

Delaware funds the following in-home services with Title III funds: Housekeeping; Personal Care; and Respite Care. Each of these services is described briefly below:

Housekeeping: Housekeeping is an in-home service for frail older persons. The service allows them to live in their own homes as long as possible. Specific housekeeping services include assistance with shopping, meal preparation, light housekeeping, and laundry. All services are provided by trained housekeepers.

Personal Care: Personal care services are provided for persons who need help at home because of illness or disability. The services are designed to help a person maintain his or her household and continue living independently. Specific activities may include assistance with personal hygiene (for example, bathing or shaving), meal preparation, shopping, light housekeeping, and other services.

Respite Care: Respite care is a program that provides relief to primary caregivers, such as family members, who give 24-hour-a-day care to someone in need. Respite care can be regularly scheduled (for example, once a week) or can be given from time-to-time, as needed by the family. Respite care can be provided at home or in a state-approved nursing home.

Section 305(a)(2)(E)

The State agency shall provide assurance that preference will be given to providing services to older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals and older individuals residing in rural areas and include proposed methods of carrying out the preference in the State plan;

The Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) assures that such preference will be given, as required. Efforts to carry out this provision are as follows:

- Efforts will be made to maintain Spanish-speaking staff for statewide bilingual service coverage.

- Spanish language publications will be developed and made available in print and on the internet
- Relationships with national and state minority organizations will be maintained.
- Outreach activities will target communities and populations in greatest need.
- Services, such as congregate meals, will continue to be made available in areas which are accessible to persons in greatest need.
- DSAAPD will continue to provide a full range of services through the agency office in Southern Delaware, as well as through contractors located in rural areas of the State.

Section 307(a)

(2) The plan shall provide that the State agency will:

(C) Specify a minimum proportion of the funds received by each area agency on aging in the State to carry out part B that will be expended (in the absence of a waiver under sections 306(b) or 316) by such area agency on aging to provide each of the categories of services specified in section 306(a)(2) (Note: those categories are access, in-home, and legal assistance).

Delaware is a Single Planning and Service Area (PSA), and therefore, does not allocate funds to area agencies on aging.

Section 307(a)(3)

The plan shall:

(A) include (and may not be approved unless the Assistant Secretary approves) the statement and demonstration required by paragraphs (2) and (4) of section 305(d) (concerning distribution of funds); (Note: the “statement and demonstration” are the numerical statement of the intrastate funding formula, and a demonstration of the allocation of funds to each planning and service area)

Delaware is a Single PSA and does not allocate funds to area agencies on aging.

(B) with respect to services for older individuals residing in rural areas:

- (i) provide assurances the State agency will spend for each fiscal year of the plan, not less than the amount expended for such services for fiscal year 2000.***
- (ii) identify, for each fiscal year to which the plan applies, the projected costs of providing such services (including the cost of providing access to such services).***
- (iii) describe the methods used to meet the needs for such services in the fiscal year preceding the first year to which such plan applies.***

Funds expended to serve older persons in rural areas in each fiscal year in this plan will not be less than those expended for fiscal year 2000.

There are no actual or projected additional costs of providing services under this title to older persons in rural Delaware. Because of the very small geographic size of the State, contract rates generally do not differ by region, and differences in urban/rural travel costs are minimal.

For the fiscal year preceding the ones in which this plan applies, many outreach activities were used to reach older persons in rural areas. Such outreach activities included the presentation of information in local broadcast media, community newspapers, etc., as well as the distribution of information through local gatherings (e.g., health fairs and other senior events).

DSAAPD maintained a statewide toll-free phone number for information and access to services, as well as a web site and e-mail address. In addition, DSAAPD maintained an office in southern Delaware, a predominantly rural area of the State.

Section 307(a)(8)) (Include in plan if applicable)

(B) Regarding case management services, if the State agency or area agency on aging is already providing case management services (as of the date of submission of the plan) under a State program, the plan may specify that such agency is allowed to continue to provide case management services.

DSAAPD, as a State agency, provides case management services on an ongoing basis as part of its Community Services Program as well as Adult Protectives Services Program. This service provision will continue during the State Plan period.

(C) The plan may specify that an area agency on aging is allowed to directly provide information and assistance services and outreach.

Delaware is a Single PSA. Information & assistance activities as well as outreach activities are carried out by the State agency.

Section 307(a)(10)

The plan shall provide assurance that the special needs of older individuals residing in rural areas are taken into consideration and shall describe how those needs have been met and describe how funds have been allocated to meet those needs.

Delaware assures that the special needs of older individuals residing in rural areas are taken into consideration in the planning and provision of services. DSAAPD allocates resources such that services are provided throughout the state, in rural as well as urban areas. Agency staff who provide services are located in both rural and urban areas. Contractor selection also ensures that provision of service covers all geographic areas of the State. As noted above, because of the size of the state, resources can be distributed to all geographic areas without additional cost.

Section 307(a)(15)

The plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared--

(A) identify the number of low-income minority older individuals in the State; and

Please refer to population figures presented in the demographic section of this plan.

(B) describe the methods used to satisfy the service needs of such minority older individuals.

- DSAAPD has maintained a Spanish language section in its agency web site (www.DSAAPD.com) and has made many of its publications, including the *Guide to Services for Older Delawareans*, available in Spanish.
- DSAAPD has contracted with the Latin American Community Center to provide Hispanic Outreach services and to provide congregate meals which feature Spanish cooking.
- Many outreach activities were used to reach low-income minority older individuals. Such outreach activities included the presentation of information on billboards, local broadcast media, community newspapers, etc., as well as the distribution of information through local gatherings (e.g., health fairs and other senior events).

- According to Title III program statistics, in FY2003, 34.9% of services statewide were provided to low-income minority clients. The Division will continue these efforts during the period covered by this plan.

Section 307(a)(21)

The plan shall:

(B) provide an assurance that the State agency will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits provided under this title (title III), if applicable, and specify the ways in which the State agency intends to implement the activities .

The 2000 Census indicates that .3 % of all Delawareans reported themselves to be Native American. Approximately half of Delaware's Native Americans live in Sussex County. The Division of Services for Aging and Adults with Physical Disabilities assures that it will continue to outreach to Native Americans through local programs (e.g., senior centers and nutrition sites) and will include Native Americans in minority targeting initiatives.

Section 705(a)(7)

In order to be eligible to receive an allotment under this subtitle, a State shall include in the State plan submitted under section 307:

(7) a description of the manner in which the State agency will carry out this title in accordance with the assurances described in paragraphs (1) through (6). (Note: Paragraphs (1) of through (6) of this section are listed below)

In order to be eligible to receive an allotment under this subtitle, a State shall include in the State plan submitted under section 307:

(1) an assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will establish programs in accordance with the requirements of the chapter and this chapter;

The State of Delaware has established programs and services in accordance with this chapter. Some of the services are provided under contract by vendor agencies and others are operated directly by DSAAPD. A full list of services provided within Delaware, including program description, eligibility criteria, and contact information can be found on the agency's web site, www.dsaapd.com.

(2) an assurance that the State will hold public hearings, and use other means, to obtain the views of older individuals, area agencies on aging, recipients of grants under title VI, and other interested persons and entities regarding programs carried out under this subtitle;

In developing this plan, and for other planning purposes, DSAAPD gathers information from outside entities to gauge opinions, measure need, and explore service options. As described in the introduction of this plan, a series of focus groups on a variety of topics was held to gather input in preparation for the development of State Plan goals and objectives.

(3) an assurance that the State, in consultation with area agencies on aging, will identify and prioritize statewide activities aimed at ensuring that older individuals have access to, and assistance in securing and maintaining, benefits and rights;

The State assures that it will identify and prioritize statewide activities related to securing and maintaining benefits and rights, as described above. Specific activities include:

- The provision of information and assistance services statewide
- The provision of case management services, both through the Adult Protective Services Program and the Community Services Program
- The operation of the Long Term Care Ombudsman Program
- Coordination with outside agencies, such as the Attorney General's office and the Insurance Department to ensure the protection of rights
- Coordination with organizations such as the Division of Social Services and the Social Security Administration to maintain current information on available benefits

(4) an assurance that the State will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out each of the vulnerable elder rights protection activities described in the chapter;

Delaware assures that it will continue to use funds, as described above, to carry out elder rights protection activities. Each of these elder rights protection activities is described briefly below:

- The Long-Term Care Ombudsman Program is operated directly by the DSAAPD. The Ombudsman Program responds to complaints; advocates for residents; and provides training in long-term care facilities.

- Adult Protective Services (APS) assists impaired adults who are subject to abuse, neglect and/or exploitation. APS workers receive and investigate reports of abuse and neglect and provide social service intervention as necessary.
- The Community Services Program (CSP) provides a range of services including information and assistance; advocacy; service authorization; and case coordination
- DSAAPD contracts with Community Legal Aid Society, Inc. to operate the Elder Law Program.
- DSAAPD coordinates with other organizations (such as the Division of Long Term Care Residents Protection, police organizations, the Department of Justice, and others) to promote elder rights protection.

(5) an assurance that the State will place no restrictions, other than the requirements referred to in clauses (i) through (iv) of section 712(a)(5)(C), on the eligibility of entities for designation as local Ombudsman entities under section 712(a)(5);

Delaware assures that it will operate within the guidelines outlined above with regard to the designation of local Ombudsman entities. Delaware has a single, statewide Ombudsman entity.

(6) an assurance that, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3—

(A) in carrying out such programs the State agency will conduct a program of services consistent with relevant State law and coordinated with existing State adult protective service activities for:

- (i) public education to identify and prevent elder abuse;***
- (ii) receipt of reports of elder abuse;***
- (iii) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance if appropriate and if the individuals to be referred consent; and***
- (iv) referral of complaints to law enforcement or public protective service agencies if appropriate;***

(B) the State will not permit involuntary or coerced participation in the program of services described in subparagraph (A) by alleged victims, abusers, or their households; and

(C) all information gathered in the course of receiving reports and making referrals shall remain confidential except--

- (i) if all parties to such complaint consent in writing to the release of such information;***

***(ii) if the release of such information is to a law enforcement agency, public protective service agency, licensing or certification agency, ombudsman program, or protection or advocacy system; or
(iii) upon court order.***

Delaware assures that it will continue to operate the Adult Protective Services (APS) Program in accordance with all of the provisions detailed above. The APS program in Delaware is operated directly by DSAAPD staff. The program complies with all provisions of the Older Americans Act with regard to elder abuse prevention as well as relevant State laws and regulations. Appropriate outreach, information, and referral activities occur as part of the ongoing operation of the program. APS staff work in close coordination with outside agencies (e.g., law enforcement agencies) in carrying out elder abuse protection activities. Client information collected in the process of complaint investigation remains confidential, and is shared with outside entities, such as law enforcement entities, only as required and only in keeping with professional guidelines, as described above.

APPENDICES

MISSION STATEMENTS

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

To improve the quality of life for Delaware's citizens by promoting health and well-being, fostering self-sufficiency and protecting vulnerable populations.

DIVISION OF SERVICES FOR AGING *AND ADULTS WITH PHYSICAL DISABILITIES*

To improve or maintain the quality of life for Delawareans who are at least 18 years of age with physical disabilities or who are elderly. The Division is committed to the development and delivery of consumer-driven services which maximize independence through individual choice, enable individuals to continue living active and productive lives and protect those who may be vulnerable and at risk.



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Services for Aging and
Adults with Physical Disabilities

Our Vision
For the 21st Century

As we move into the future, Delaware Health and Social Services' Division of Services for Aging and Adults with Physical Disabilities will continue to focus on our core mission, and at the same time, plan for meeting the challenges that lie ahead. We must prepare to serve succeeding generations of diverse populations, whose needs may require uniquely different strategies and resources. We will focus on innovative approaches to advocacy, education, partnering, service delivery and technology. These approaches will enhance our capacity to: support customers and their caregivers; encourage healthy lifestyles; teach skills necessary for making informed life choices; facilitate greater community integration and participation; promote self-determination; and foster independence.



**DELAWARE HEALTH
AND SOCIAL SERVICES**

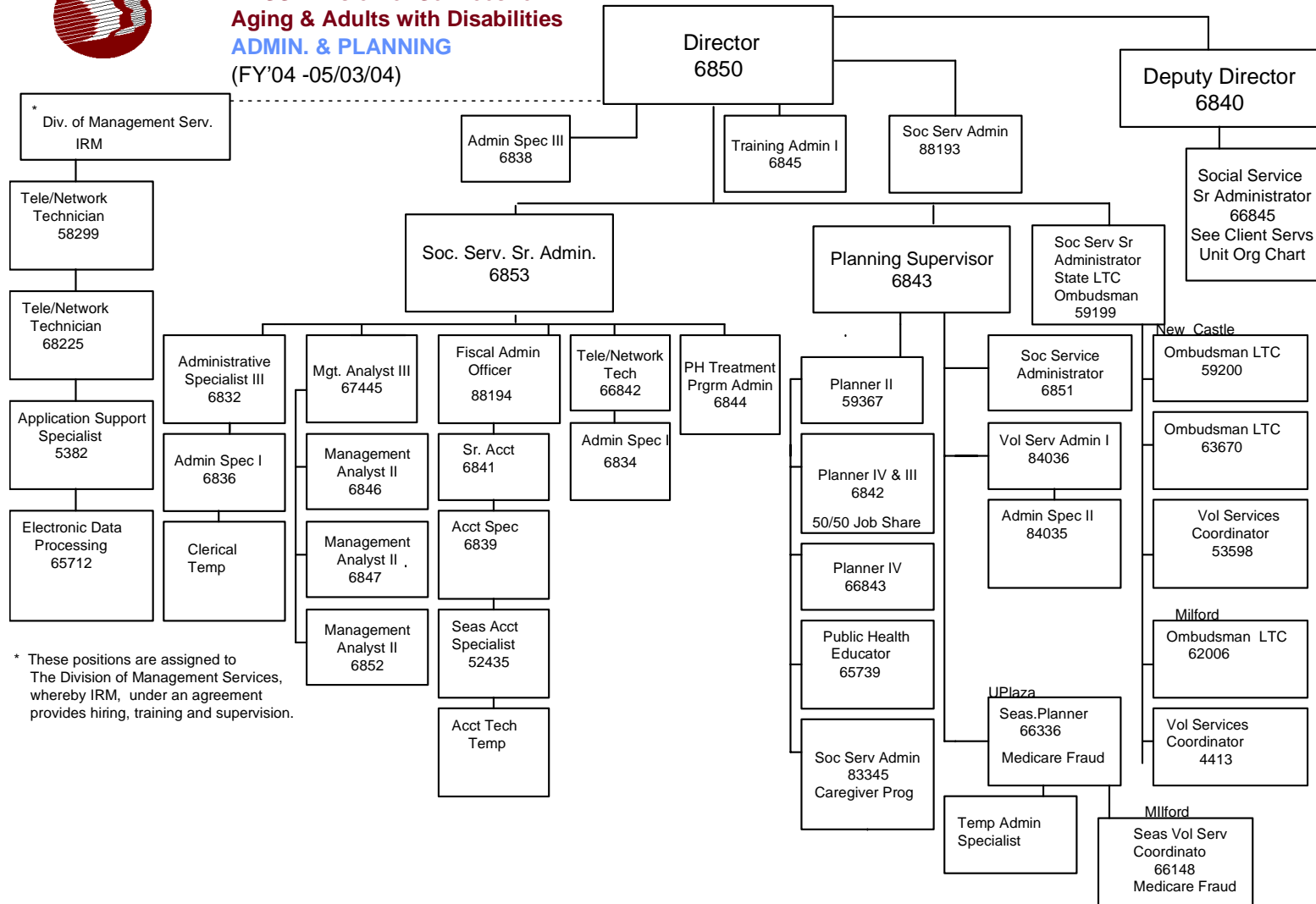
Division of Services for Aging and
Adults with Physical Disabilities

**GOVERNOR’S ADVISORY COUNCIL
ON SERVICES FOR AGING AND ADULTS
WITH PHYSICAL DIABILITIES**

<u>Member</u>	<u>Representing</u>
Grace Ruth Batten	Aging
Azalia Brigs	Aging
C. Regina Byers	Disabilities
Keith Campbell	Disabilities
Katherine Cowperthwait	Public Representative
Aaron Deede	Disabilities
Julia Gause	Aging
Bonnie Hitch	Provider
Michele Jones	Disabilities
Edward Larrivee	Public Representative
Karen Lloyd	Disabilities
Dennis McIlvain	Disabilities
Lelia Perkins	Provider
Mary Ann Teller	Aging
David Webb, Jr.	Disabilities
Karen Wood	Disabilities

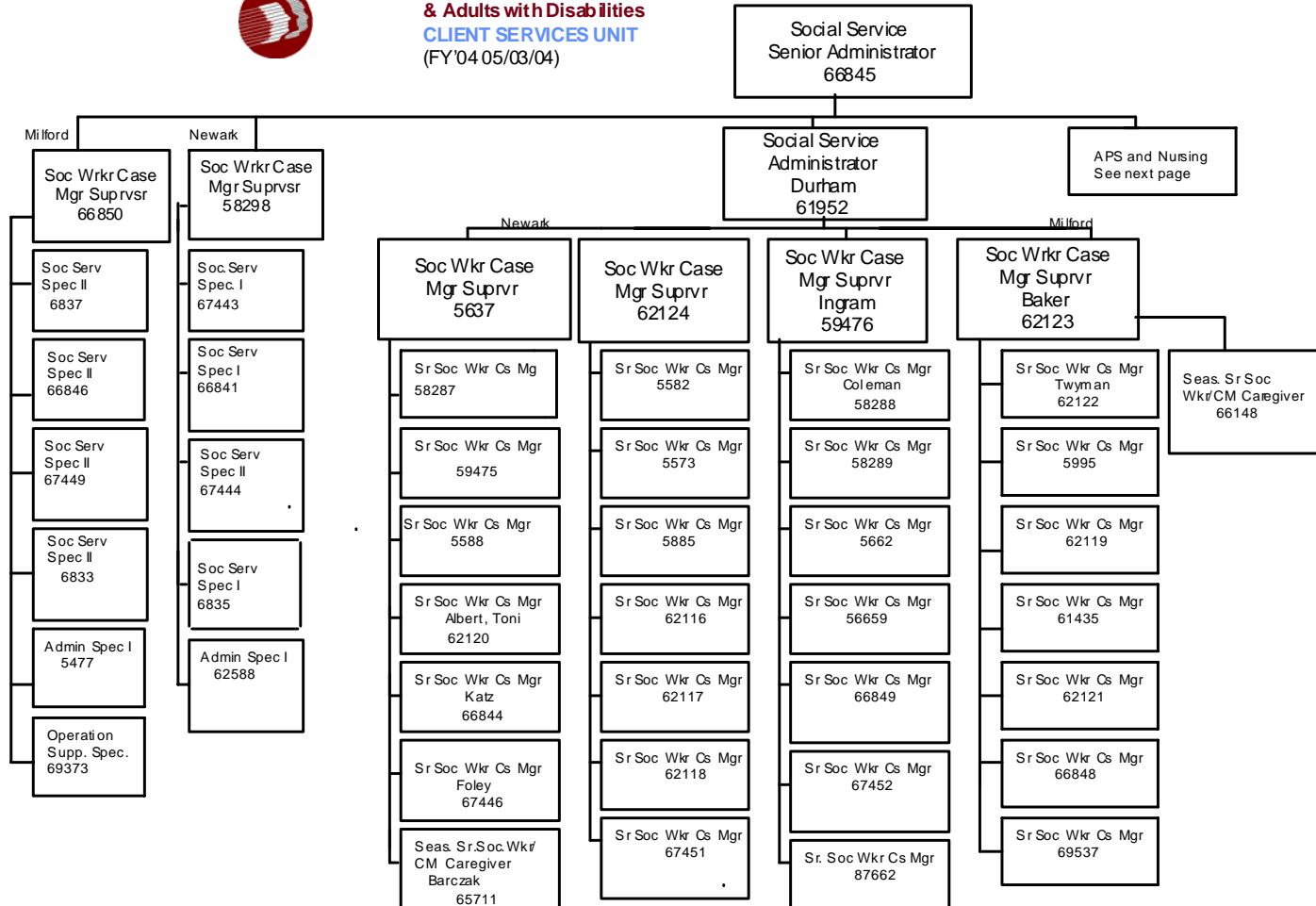


**DHSS Division of Services for
Aging & Adults with Disabilities
ADMIN. & PLANNING
(FY'04 -05/03/04)**



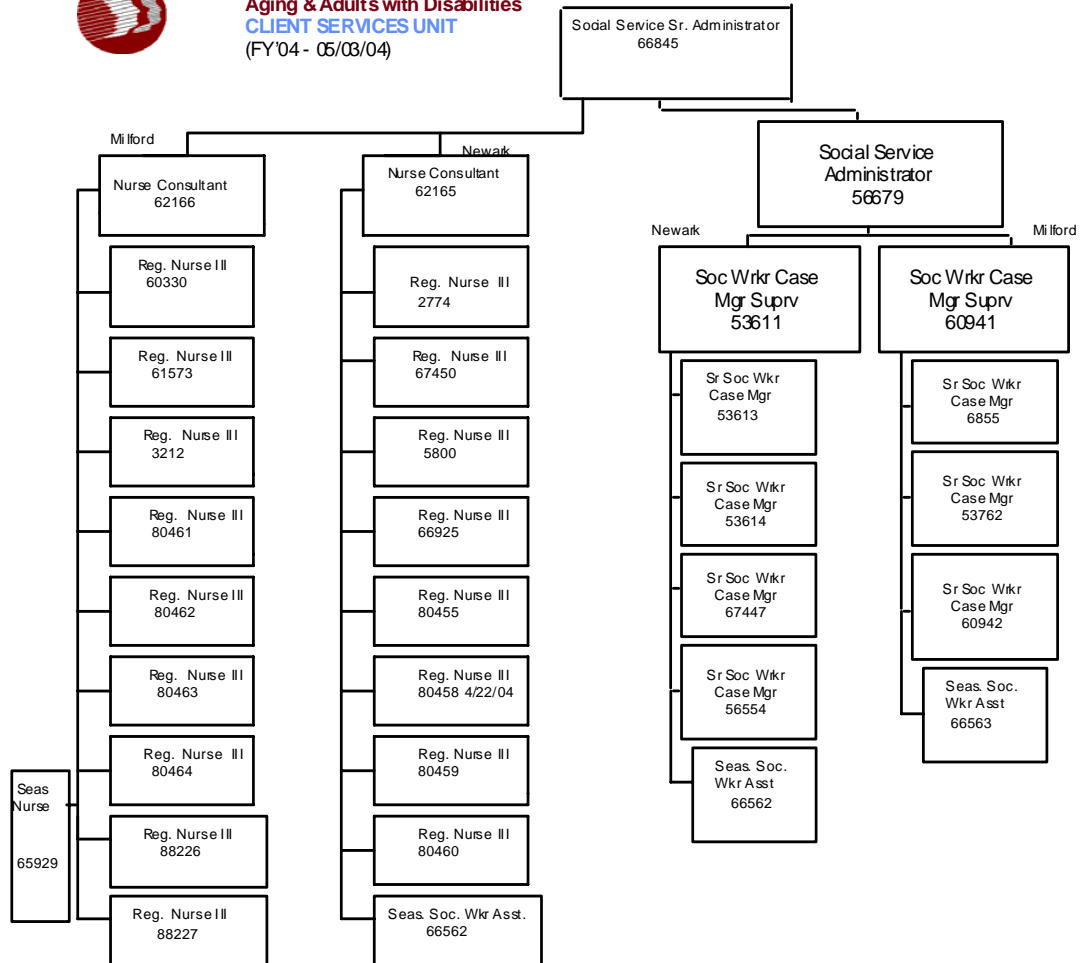


**DHSS Division of Services for Aging
& Adults with Disabilities**
CLIENT SERVICES UNIT
(FY'04 05/03/04)





**DHSS Division of Services for
Aging & Adults with Disabilities**
CLIENT SERVICES UNIT
(FY'04 - 05/03/04)





DELAWARE HEALTH AND SOCIAL SERVICES

